

**FENDALTON/WAIMAIRI COMMUNITY BOARD
AGENDA**

WEDNESDAY 4 NOVEMBER 2009

**DIRECTLY AFTER THE COMMUNITY SERVICES
COMMITTEE MEETING
(COMMENCING AT 8.00AM)**

**IN THE BOARDROOM
FENDALTON SERVICE CENTRE
CORNER JEFFREYS AND CLYDE ROADS**

Community Board: Val Carter (Chairperson), Cheryl Colley (Deputy Chairperson), Sally Buck, Faimeh Burke, Jamie Gough, Mike Wall and Andrew Yoon.

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1. APOLOGIES

Val Carter and Jamie Gough.

2. CONFIRMATION OF MEETING MINUTES – 13 OCTOBER 2009

The minutes of the Board's ordinary meeting of Tuesday 13 October 2009 are **attached**.

CHAIRPERSON'S OR STAFF RECOMMENDATION

That the minutes of the Board's ordinary meeting be confirmed.

3. DEPUTATIONS BY APPOINTMENT

Nil.

4. PRESENTATION OF PETITIONS

Nil.

5. NOTICES OF MOTION

Nil.

6. CORRESPONDENCE

Nil.

7. BRIEFINGS

Nil.

8. WORKS, TRAFFIC AND ENVIRONMENT COMMITTEE MEETING – REPORT OF 27 OCTOBER 2009

General Manager responsible:	General Manager Regulation and Democracy Services, DDI 941-8462
Officer responsible:	Democracy Services Manager
Author:	Peter Dow, Community Board Adviser

PURPOSE OF REPORT

The purpose of this report is to submit the following outcomes of the Works, Traffic and Environment Committee meeting held on Tuesday 27 October 2009 at 8am.

The meeting was attended by Cheryl Colley (Chairperson), Faimeh Burke, Mike Wall and Andrew Yoon.

Apologies for absence were received and accepted from Sally Buck, Val Carter and Jamie Gough.

1. DEPUTATIONS BY APPOINTMENT

1.1 Thelma Monson – Tree Removal Request

Thelma Monson together with her daughter, presented a submission requesting the removal of a Honey Locust street tree outside her property frontage at 23A Kedleston Drive.

After questions from members, the Chairperson thanked the deputation for addressing the Committee.

A Committee recommendation to the Board on this matter, is contained in clause 4 of this report.

2. BRIEFINGS

2.1 City Arborist

Shane Moohan, City Arborist, briefed the Committee on the issues associated with leaf litter falling from Council trees onto private property. This briefing was provided in response to a request made by the Board on 15 September 2009.

Following questions from members, the Committee **agreed** that the matter of the Council funding the clearance of leaf litter arising from protected trees on private property, be considered by the Board as a possible submission to the Council's Annual Plan in 2010.

3. 23A KEDLESTON DRIVE - PROPOSED TREE REMOVAL

Further to the submission made by Thelma Monson (clause 2.1 above refers), the Committee considered a staff report regarding the resident's request for the removal of the Honey Locust tree (*Gleditsia triacanthos*) outside her property at 23A Kedleston Drive in Avonhead.

The Committee did not support the staff recommendations that the tree be retained and further that the maintenance of the tree continue to occur in accordance with accepted arboricultural practices, standards and procedures.

COMMITTEE RECOMMENDATION

That the Board approve the removal of the Honey Locust tree outside 23A Kedleston Drive and further that the removal cost of \$1,750, be met from the Board's 2009/10 Discretionary Response Fund.

8. Cont'd**4. PASADENA RESERVE - TREE REMOVAL REQUEST**

The Committee considered a staff report regarding a request from an adjoining resident that a Turkey Oak tree (*Quercus Cerris*) be removed from the Pasadena Reserve in Harewood.

Staff recommended that the tree be retained and that it continue to be maintained to recognised arboricultural standards.

Members noted that the Board had recently visited the reserve to view the tree prior to this meeting.

COMMITTEE RECOMMENDATION

That it be recommended that the Board:

- (a) Decline the request to remove the Turkey Oak tree in Pasadena Reserve outside No. 15 Pasadena Place; and
- (b) Agree that the tree be maintained to internationally recognised and accepted arboricultural practices, standards and procedures.

5. POUND ROAD – ROAD STOPPING AND LAND SWAP

The Committee considered a report from staff proposing that the Board recommend to the Council that it approve the sale of a land parcel to Christchurch International Airport Company (CIAL) by way of a land exchange; and for the realignment to occur of Pound Road.

The Board's approval under delegated authority was also sought to stop part of Pound Road and Savills Road from the Savills Road intersection to Jessons Road.

Site plans are **attached**.

COMMITTEE RECOMMENDATION**PART A – MATTERS REQUIRING A COUNCIL DECISION**

- (a) That the Board recommend to the Council that it resolves:
 - (i) To approve the acquisition by agreement under Section 17 of the Public Works Act 1981 of those parcels of land shown as Sections 1, 3 to 9 inclusive and Section 12 on Survey Office Plan 424971 for road from Christchurch International Airport Limited, Environment Canterbury and the private landowners affected and once acquired, to set apart the above sections, as described in the Second Schedule below as road pursuant to Section 114 of the Public Works Act 1981;

SECOND SCHEDULE		
LAND TO BE LEGALISED AS ROAD		
Section Number	Area	Plan
1	11873 m ²	SO 424971
3	7657 m ²	SO 424971
4	1913 m ²	SO 424971
5	3989 m ²	SO 424971
6	2759 m ²	SO 424971
7	8078 m ²	SO 424971
8	1018 m ²	SO 424971
9	7371m ²	SO 424971
10	3902m ²	SO 424971
11	131m ²	SO 424971
12	824m ²	SO 424971

8. Cont'd

- (ii) To set apart those parcels of land owned by the Council and shown as Sections 10 and 11 on Survey Office Plan 424971 as road pursuant to Section 114 of the Public Works Act 1981;
- (iii) To approve the disposal of that parcel of land owned by the Council shown as Section 15 on Survey Office Plan 424971 as described in the Third Schedule below, in exchange for that land depicted as Sections 13 and 14 on Survey Office Plan 424971 as described in the Fourth Schedule below, which Sections 13 and 14 are intended to be held by the Council as an addition to the Council's existing adjoining ecological park as scenic reserve subject to the Reserves Act 1977;

THIRD SCHEDULE		
LAND TO BE DISPOSED OF		
Section Number	Area	Plan
15	21603 m ²	SO 424971

FOURTH SCHEDULE		
LAND TO BE ACQUIRED		
Section Number	Area	Plan
13	124384m ²	SO 424971
14	12093 m ²	SO 424971

- (iv) To grant delegated authority to the Unit Manager Corporate Support to negotiate and conclude such agreements with Christchurch International Airport Limited, the Crown, Environment Canterbury and the affected private landowners to give effect to the above arrangements on such terms and conditions as he/she shall consider appropriate;
- (v) That, should any objection(s) be received under the Tenth Schedule of the Local Government Act 1974 to the proposed road stopping of those parcels of Pound, Savills and Jessons Roads shown as Sections 16 to 23 inclusive on Survey Office Plan 424971, the Council Secretary be delegated the power to appoint an Independent Commissioner to hear those objections and to report his or her recommendations in respect of those objections to the Council.

PART C – DELEGATED DECISIONS TAKEN BY THE BOARD

(b) That the Board resolves:

- (i) Pursuant to sections 319(h), 342(1)(a) and the Tenth Schedule of the Local Government Act 1974, to commence road stopping procedures in respect of those parcels of Pound, Savills and Jessons Roads shown as Sections 16 to 23 inclusive on Survey Office Plan 424971;
- (ii) Subject to such road stopping procedures being successfully completed, pursuant to Clause 32(3) of Schedule 7 of the Local Government Act 2002 to sub-delegate to the Corporate Support Manager the power under section 345 of the Local Government Act 1974 to dispose of those parcels of land created by such road stopping, as described in the First Schedule below, to Christchurch International Airport Limited and Environment Canterbury to such parties and on such terms and conditions as he/she shall consider appropriate (including any requirement under section 345(2) and (2A) that they be amalgamated with such land parcels as he/she shall consider appropriate.

8. Cont'd

FIRST SCHEDULE		
ROAD TO BE STOPPED		
Section Number	Area	Plan
16	6230 m ²	SO 424971
17	4731 m ²	SO 424971
18	515 m ²	SO 424971
19	3930 m ²	SO 424971
20	3858 m ²	SO 424971
21	2.0236 ha	SO 424971
22	1.0157 ha	SO 424971
23	9488 m ²	SO 424971

(**Note:** Cheryl Colley declared an interest and retired from the discussion and voting thereon, when Andrew Yoon, Deputy Committee Chairperson, temporarily assumed the chair.)

The meeting concluded at 8.35 am.

STAFF RECOMMENDATION

That the report be received and the recommendations therein be adopted.

9. COMMUNITY BOARD ADVISER'S UPDATE

10. ELECTED MEMBERS' INFORMATION EXCHANGE

11. QUESTIONS UNDER STANDING ORDERS